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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff

v.

ENRIQUE MARTINEZ,

Defendant

Case No. 2:21-cr-00169-CDS-BNW

**ORDER GRANTING STIPULATION
TO CONTINUE SENTENCING
HEARING
(THIRD REQUEST)**

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, and Kimberly Sokolich, Assistant United States Attorney, counsel for Plaintiff the United States of America, and Ivette Amelburu Maningo, counsel for Enrique Martinez, that the Sentencing Hearing currently scheduled for the 8th day of May, 2023, (ECF NO. 119) be vacated and set to a date and time convenient to this Court, but no sooner than thirty (30) days from the date currently scheduled for sentencing.

The Stipulation is entered into for the following reasons:

1. Defense counsel needs additional time to further consult with an expert to effectively and thoroughly explore all factors relevant to Mr. Martinez's sentencing and mitigation presentation in general, and to complete a thorough sentencing memorandum for this Court's consideration.

2. The Defendant is not currently in custody and does not object to the continuance.

3. The additional time requested herein is not sought for purposes of delay.

4. All parties agree to the continuance.

5. This is the third stipulation to continue sentencing filed herein.

6. The additional time requested by this stipulation is reasonable pursuant to Fed. R. Crim. P. 32(b)(2), which states that the “court may, for good cause, change any time limits prescribed [for sentencing] in this rule.” Furthermore, a delay in sentencing does not implicate or undermine the defendant’s speedy trial rights under the United States Constitution, which terminated upon conviction. *See Betterman v. Montana*, 136 S.Ct. 1609, 1617-18 (2016).

DATED this 30th day of March, 2023.

The Law Offices of
Ivette Amelburu Maningo

By: /s/ Ivette Amelburu Maningo
IVETTE AMELBURU MANINGO, ESQ.
Attorney for Defendant
Enrique Martinez

By: /s/ Kimberly Sokolich
KIMBERLY SOKOLICH, ESQ.
Assistant United States Attorney

UNITED STATES DISTRICT COURT
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ORDER

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Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Defense counsel requires additional time to further consult with an expert in order to effectively and thoroughly explore all factors relevant to Mr. Martinez's sentencing and mitigation presentation in general, and to complete a thorough sentencing memorandum for this Court's consideration.
2. The Defendant is out of custody and does not object to the continuance.
3. The parties agree to the continuance.
4. This is the third stipulation to continue sentencing filed herein.
5. The additional time requested by this stipulation is reasonable pursuant to Fed. R. Crim. P. 32(b)(2), which states that the "court may, for good cause, change any time limits prescribed [for sentencing] in this rule." Furthermore, a delay in sentencing does not implicate or undermine the defendant's speedy trial rights under the United States Constitution, which terminated upon conviction. *See Betterman v. Montana*, 136 S.Ct. 1609, 1617-18 (2016).

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IT IS FURTHER ORDERED that the Sentencing Hearing currently scheduled for the 8th day of May, 2023, at the hour of 10:00 a.m., be vacated and continued to 8th day of June, 2023 at the hour of 10:00 a.m. in courtroom 6B.

DATED: April 4, 2023

HONORABLE CRISTINA D.
UNITED STATES DISTRICT